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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

April 26, 2013

John Hewett
Interstate Brick Company
9780 South 5200 West
West Jordan, Utah 84088-5625

Subject: Third Review of Notice of Intention to Commence Large Mining Operations, Interstate Brick Company, Black Shale and Rose Mine, M/049/0084, Utah County, Utah

Dear Mr. Hewett:

The Division of Oil, Gas and Mining has completed a review of the referenced Notice of Intention to Commence Large Mining Operations (Notice) for the Black Shale and Rose Mine, which was received August 9, 2012. The attached comments will need to be addressed before tentative approval may be granted.

Please address only those items requested in the attached technical review by sending replacement pages of the original mining notice using redline and strikeout text. Redline/strikeout in the August 9, 2012, submittal can be accepted except where the current review finds additional items that need to be changed. When the Notice is determined technically complete, the Division will ask for two clean copies of the complete and corrected plan. Upon final approval, both copies will be stamped "approved" and one will be returned for your records.

The Division will suspend further review of the Notice until your response to this letter is received. If you have any questions in this regard please contact Lynn Kunzler, at 801-538-5310 or me at 801-538-5261. Thank you for your cooperation in completing this permitting action.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB: Lk: eb

Attachment: Review

cc: John Blake, SITLA (jblake@utah.gov)

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**3rd REVIEW OF NOTICE OF INTENTION
TO COMMENCE LARGE MINING OPERATIONS**

**Interstate Brick Company
Black Shale and Rose Mine**

M/049/0084

April 24, 2013

106.5 - Existing soil types, location, amount

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
1	Page 12	Please include a column showing volume of topsoil in each pile identified on this table...	LK	

106.6 – Plan for protecting and Redepositing Soils

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
2	Pages 12 and 20	Soil replacement depth on this page did not get corrected to the 6.8 inches as discussed previously in the NOI	LK	

R647-4-113 – Surety

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
2	Appendix 5, page 3	Because costs on page 3 are composites of multiple line items from other pages, remove values not used to calculate the total costs (last column), and reference pages 6-10.	PNB	
3	Appendix 5, page 5	As shown on this page, the topsoil coverage on the Rose area is 10 to 11 inches. Either: 1) Modify page 20 of the NOI text to indicate less soil replacement in the Rose area, or 2) In the calculations, identify the source of additional topsoil needed to increase the depth. Provide line item calculations for its placement. (Refer to comment #2 under R647-4-106.6)	PNB LK	
4	Appendix 5, pages 6-10	Provide the source for equipment and labor costs. Most numbers are comparable to Division sources. The D-8 hourly equipment cost is expected to be greater.	PNB	
5	Appendix 5, pages 6-10	The D-8 production rate on these pages should match the D-8 production worksheet.	PNB	
6	Appendix 5, pages 6-10	The trackhoe hours should be calculated for each line item using the calculated trackhoe production from the trackhoe production sheet, page 14, independent of the truck hours.	PNB	
7	Appendix 5, page 13	Change the acreage to be revegetated from 7.8 to 6.8.	PNB	
8	Appendix 5, pages 6-10, page 14	Multiple trackhoe models are referred to on pages 6-10 and page 14 (CAT 345 and CAT 336DL). Clarify which trackhoe model was used to determine trackhoe production, and revise any calculations accordingly. Equipment costs should also be changed as needed.	PNB	

Comment #	Sheet/Page/Map/Table #	Comments	Initials	Review Action
9	Appendix 5, pages 6-10, page 15	Multiple truck models are referred to on pages 6-10 and page on 15 (735, 740, 769D). Clarify which truck model was used to determine truck production, and correct any calculations accordingly. Equipment costs should also be changed as needed.	PNB	
10	Appendix 5, page 15	The truck cycle times seem overly-conservative and could be justifiably modified to significantly reduce the reclamation cost. It is unclear the exact cause, but not converting units from feet to meters before using the chart for the CAT 769D truck provided might be one reason. Grades less than 6% are also justifiable.	PNB	
11	Appendix 5, page 16	A separate production sheet for calculating ripping production is probably needed, since ripping on the contour is a separate action from spreading topsoil.	PNB	
12	Appendix 5, page 16	Based on the map and topsoil placement locations, the D8 normal hourly production should be increased on this page, based on reasonably-shorter dozing distances. The re-calculated dozer production value should be changed on all of the line item calculations.	PNB	
13	Appendix 5, page 16	Based on the nature of the freshly excavated and dumped topsoil material, the material factor for the D8 can justifiably be increased to 1.2.	PNB	